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GENERAL ASSEMBLY
Fifty-first session
Agenda items 30, 33, 35, 53, 67 and 151
COOPERATION BETWEEN THE UNITED NATIONS AND THE LEAGUE OF ARAB STATES
THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE
CONSEQUENCES OF THE IRAQI OCCUPATION OF AND AGGRESSION AGAINST KUWAIT
ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN THE REGION OF THE MIDDLE EAST
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fifty-second year

Letter dated 31 December 1996 from the Chargé d'affaires a.i. of the Permanent Mission of Egypt to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to enclose herewith a copy of the final communiqué of the 14th meeting of the Ministers for Foreign Affairs of the Damascus Declaration States, held in Cairo on 28 and 29 December 1996 under the Chairmanship of Mr. Amre Moussa, Minister for Foreign Affairs of the Arab Republic of Egypt.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council and of the General Assembly under agenda items 30, 33, 35, 53, 67 and 151.

(Signed) Soliman AWAAD
Chargé d'affaires a.i.
Deputy Permanent Representative

ANNEX

Final communiqué of the 14th meeting of the Damascus Declaration States held in Cairo on 28 and 29 December 1996

At the invitation of the Arab Republic of Egypt, the Ministers for Foreign Affairs of the Damascus Declaration States held their fourteenth meeting in Cairo on 28 and 29 December 1996.

The session was presided over by His Excellency Mr. Amre Moussa, Minister for Foreign Affairs of the Arab Republic of Egypt, and attended by the following:

His Excellency Mr. Rashid Abdullah Al-Noaimi, Minister for Foreign Affairs of the United Arab Emirates;

His Excellency Sheikh Mohammed Bin Mubarak Al-Khalifa, Minister for Foreign Affairs of Bahrain;

His Royal Highness Prince Saud al-Faisal, Minister for Foreign Affairs of the Kingdom of Saudi Arabia;

His Excellency Mr. Farouk al-Shara', Minister for Foreign Affairs of the Syrian Arab Republic;

His Excellency Mr. Yousef Bin Alawi Bin Abdulla, Minister of State for Foreign Affairs of the Sultanate of Oman;

His Excellency Sheikh Hamad Bin Jassem Bin Jabr al-Thani, Minister for Foreign Affairs of Qatar; and

His Excellency Mr. Abd al-Aziz Dakhil al-Dakhil, Minister of State for Cabinet Affairs of Kuwait.

His Excellency Sheikh Jamil Ibrahim al-Hegelan, Secretary-General of the Gulf Cooperation Council, also attended.

Inspired by the purposes and principles of the Damascus Declaration, and on the basis of the role played by member States in promoting Arab solidarity, advancing the interests of the Arab nation and safeguarding joint national security; in response to current requirements, and in the light of international and regional developments, particularly with regard to the peace process, the Ministers for Foreign Affairs affirmed their absolute commitment to work in accordance with the resolutions adopted by the Arab Summit Conference held in Cairo from 21 to 23 June 1996. They also affirmed their commitment to the firm and principled positions adopted by Arab leaders at the Conference with a view to strengthening Arab solidarity and establishing a just and comprehensive peace that will serve the highest interests of the Arab nation, restore its usurped rights and monitor effective Arab action in the future.

The Ministers reaffirmed their countries' firm stance with regard to developments in the peace process, and the need to adhere to the authoritative bases on which it has been based since the Madrid Conference. Of particular relevance were: Security Council resolutions 242 (1967), 338 (1973) and 425 (1978); the principle of land for peace; complete Israeli withdrawal from the Golan Heights to the 4 June 1967 line; complete and unconditional Israeli withdrawal from southern Lebanon and the western Bekaa to the internationally recognized boundaries; complete Israeli withdrawal from all occupied Palestinian territory, including Arab Jerusalem, and the guarantee of legitimate national rights for the Palestinian people, including the right of self-determination and to establish an independent State on its own national soil. The Ministers affirmed their absolute support for the Palestinians' position, their efforts to effect Israeli withdrawal from Palestinian land, and safeguard security and the rights of their people.

The Ministers affirmed that the attempt by the Israeli Government to renege on its commitment to withdraw completely from the Golan Heights to the 4 June 1967 line, which had been made before the American co-sponsor, represented Israeli withdrawal from the peace process, undermining its bases and authority.

The Ministers expressed their complete support for Syria's firm stance regarding the establishment of a just and comprehensive peace based on legitimate international foundations, the principle of land for peace, and the resumption of negotiations from the point which had been reached. They affirmed their support for Lebanon and Syria, faced with Israeli provocation and threats intended to establish the occupation and impose the status quo on the Arabs. They held the Israeli Government fully responsible for the resultant dangerous consequences.

The Ministers stressed the importance of resuming negotiations and making rapid progress on all Arab-Israeli tracks, building on the progress and results that had been achieved. They similarly affirmed the need for Israel to abide by all the commitments that it had made as part of the peace process.

The Ministers referred to the wide international support for the Arab claim, and commended the positive development in the role of Europe, reflected in the statements issued by the European Union. In this context, the Ministers expressed their especial appreciation of the role of France, under President Jacques Chirac. They also expressed their appreciation of the statements made by the President of the United States of America, William Clinton, regarding Israeli settlement policy, and requested the United States to ensure that American financial aid was not used to implement that policy. They further requested the United States, in its capacity as a co-sponsor of the peace process, to adopt a stance that would ensure that the policy of expanding Israeli settlements on occupied Arab land would cease, and that the peace process would return to its proper course.

The Ministers affirmed their commitment to legitimate international resolutions requiring the non-recognition of any situation resulting from Israeli settlement activity, and declared that the establishment of settlements and the introduction of settlers were illegitimate acts that constituted a

violation of the Geneva Conventions and the Madrid framework, in addition to threatening to bring about the collapse of the peace process.

The Ministers reaffirmed the declaration made by the most recent Arab Summit Conference, namely, that Israeli Government insistence on its position could lead to the destruction of the peace process. This would have dangerous consequences, might return the region to a vortex of violence, and force a number of Arab States to begin to reconsider the steps taken vis-à-vis Israel in the framework of that peace process. The Israeli Government alone would bear the entire responsibility for such a situation.

The Ministers asserted that the establishment of truly cooperative relations between regional parties in the Middle East was subject to complete Israeli withdrawal from occupied Arab land, and the achievement by the Palestinian people of their legitimate national rights, in order that a climate of peace, security and stability could prevail in the region.

The Ministers stressed that a just and comprehensive peace would bring about balanced and equal security for all the States of the region. In this respect, the security of Israel could not be considered a prerogative to which it was entitled at the expense of the security of Arab countries. Equal security was the basis of the stability and continuity of peace. In this context, the Ministers stressed the importance of making the Middle East a zone free of nuclear weapons and all other weapons of mass destruction, and of Israel's accession to the Treaty on the Non-Proliferation of Nuclear Weapons and acceptance of a system of safeguards which would be supervised by the International Atomic Energy Agency.

The Ministers stressed Iraq's absolute obligation to implement Security Council resolutions relating to its aggression against Kuwait, take measures to guarantee the release of all Kuwaiti and third-country prisoners and detainees, return property, abide by the compensation mechanism, and cooperate fully with the efforts of the United Nations Special Commission, entrusted with the task of eliminating Iraqi weapons of mass destruction. It must also comply with Security Council resolution 949 (1994), and refrain from any provocative or hostile action that threatens the State of Kuwait and the countries of the region.

The Ministers expressed their profound sympathy for the suffering of the Iraqi people, for which the Iraqi Government bore the entire responsibility, and welcomed the beginning of the implementation of Security Council resolution 986 (1995) as a positive step towards the alleviation of that suffering. The Ministers called upon Iraq to cooperate fully with the United Nations in order to ensure safe and scrupulous implementation of that resolution. They renewed their full commitment to the unity of Iraq, and in this context, referred to recent events in the north of the country. They affirmed their opposition to any policies or measures intended to threaten the territorial integrity of Iraq and to any intervention in its internal affairs.

The Ministers reviewed with great concern developments in respect of the Iranian occupation of the Greater Tunb, the Lesser Tunb and Abu Musa, three islands belonging to the United Arab Emirates. They expressed their profound

regret that the Islamic Republic of Iran continued to fail to respond to repeated, sincere and honest calls from the United Arab Emirates, the Gulf Cooperation Council, the Damascus Declaration States, the Council of the League of Arab States and the Arab Summit Conference to find a peaceful resolution to this conflict. The Ministers condemned successive Iranian measures on the islands belonging to the United Arab Emirates, and expressed their continuing concern with regard to the results of the Iranian Government's extremism in pursuing a policy of imposing faits accomplis by force on the three islands, in violation of the sovereignty of the United Arab Emirates and its rights on the islands, exposing security and stability in this region to risk, and negating the principles and precepts of international law, the Charters of the United Nations and the Organization of the Islamic Conference, the principles of good-neighbourliness, respect for sovereignty and the territorial integrity of the States of the region.

The Ministers reaffirmed the sovereignty of the United Arab Emirates over its three islands of the Greater Tunb, the Lesser Tunb and Abu Musa, and their absolute support for any peaceful measures it might take with a view to regaining that sovereignty. They reiterated their call to the Iranian Government to end its occupation of the three islands, desist from pursuing a policy of imposing faits accomplis by force, halt the building of Iranian installations on the three islands with the aim of altering their demographic composition, remove all installations and repeal all unilateral measures previously implemented in the islands. They called upon Iran to adopt peaceful means in order to end the dispute over the islands, in accordance with the principles and norms of international law, and to agree to submit the issue to the International Court of Justice.

The Ministers stressed that the security of the United Arab Emirates was inseparable from the security of the Arab States of the Gulf and Arab national security. They expressed their grave concern over the deployment by the Islamic Republic of Iran of ground-to-ground missiles in the Arab Gulf, including on the three occupied islands belonging to the United Arab Emirates, thereby directly threatening the States and installations of the Gulf Cooperation Council. They requested the Iranian Government to desist from any action that might threaten the security and stability of the Arab Gulf region.

The Ministers affirmed the importance of making positive progress in the relations between Syria and Turkey, on the basis of respect for established Arab rights in the waters of the Tigris and Euphrates rivers, and in order to promote the establishment of cooperative relations and good-neighbourliness between the two countries and strengthen joint Arab-Turkish interests. They expressed the hope that the Turkish Government would reconsider its military and security agreements with Israel, which threatened the security of Arab States.

The Ministers strongly condemned terrorism in all its forms, and whatever its source or impetus. They noted the importance of solid cooperation between the Damascus Declaration States in confronting manifestations of extremism and violence, as such manifestations threatened stability and development, and conflicted with the essence of Islam, tolerance. They condemned the terrorist acts carried out in Bahrain and in the city of Khobar in the Kingdom of Saudi Arabia, which had killed, injured and terrorized peaceful and innocent people.

On the basis of the principle of the joint interests of the Damascus Declaration States, and the collective nature of their security, the Ministers reaffirmed their solidarity with any Declaration State that was subjected to terrorist acts, and called for the coordination of international efforts with a view to extirpating this problem. They observed that extremism, violence and terrorism were global problems that were not restricted to one people or region. It was important to make a distinction between legitimate national resistance to occupation and aggression and terrorist acts.

The Ministers agreed on the measures necessary to build a system for joint Arab action, as already decided at the twelfth session. They also agreed on a number of measures concerning the participation of their States in the strengthening of joint Arab action, including the completion of the drafting and adoption of the protocol provided for in part II, paragraph 1(a), of the Damascus Declaration, with a view to submitting it to the League of Arab States.

The Ministers of the Damascus Declaration States expressed their gratitude and appreciation for the kindness and hospitality with which they had been received, and commended the efficient arrangements that had contributed to the success of the meeting. They wished the Arab Republic of Egypt further progress and prosperity under the leadership of His Excellency President Mohamed Hosni Mubarak and his excellent Government.

The Ministers agreed to hold their next meeting in the Syrian Arab Republic in June 1997.

UNITED
NATIONS

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REPORT BY THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE ALTERNATE REPRESENTATIVE OF CHINA ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 27 December 1996 from the Permanent Representative of China to the United Nations, stating that Mr. Liu Jieyi has been appointed alternate representative of China on the Security Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

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GENERAL ASSEMBLY
Fifty-first session
Agenda item 151
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fifty-second year

Letter dated 2 January 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General

I wish to refer to the letter dated 18 December 1996 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General (A/51/758-S/1996/1058).

It is ironic, if not tragic, that Lebanon finds it fit to address the Secretary-General a long list of alleged "flagrant violations" of its "sovereignty and independence" by Israel, without making any reference to the context in which the reported events occurred.

Notable in this regard is Lebanon's inability or lack of will to exercise its sovereign authority in order to prevent terrorist acts emanating from its own territory.

Armed elements of the Hezbollah and other terrorist organizations roam southern Lebanon freely, equipped with a variety of weapons and missiles, the majority of which are transferred by the Islamic Republic of Iran to Lebanese territory. They are permitted to operate with impunity from Lebanese soil and to carry out attacks against Israel with the tacit acquiescence of the Lebanese Government, as well as the support of other countries known to practise terrorism. In view of this, Lebanon would be well advised to concentrate its efforts on putting its house in order rather than on filing complaints in the United Nations.

International law prohibits Lebanon from sanctioning terror under any guise. In serving as a launching pad for terrorist activity, Lebanon is in direct contravention of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations, adopted by the General Assembly in 1970,

which forbids States from allowing their territory to be used for acts directed against neighbouring countries.

In addition, Lebanon is acting in blatant disregard of General Assembly resolution 51/210 of 17 December 1996 on measures to eliminate international terrorism, in which the Assembly called upon States to refrain, inter alia, from encouraging or supporting terrorist activity.

Israel has repeatedly stated its desire to resolve all pending disputes with Lebanon through bilateral negotiations, and to reach in the meantime appropriate arrangements which will calm the volatile situation along our common border. This desire, however, does not in any way exempt the Government of Israel from the responsibility to act in self defence and protect its citizens, harassed by Lebanese terrorism.

Israel will continue to take all such legitimate measures as long as Lebanon fails to fulfil its obligations under international law. At the same time, Israel calls upon Lebanon to resume its participation in the negotiating process.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 151, and of the Security Council.

(Signed) David PELEG
Ambassador
Chargé d'affaires a.i.

UNITED
NATIONS

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3 January 1997

ORIGINAL: ENGLISH

IDENTICAL LETTERS DATED 3 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF TURKEY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from my Government, I have the honour to transmit herewith a letter dated 2 January 1997 addressed to Your Excellency by Prof. Dr. Tansu Çiller, Minister for Foreign Affairs and Deputy Prime Minister of the Republic of Turkey.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Hüseyin E. ÇELEM
Ambassador
Permanent Representative

97-00248 (E) 030197

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Annex

Identical letters dated 2 January 1997 from the Minister for Foreign Affairs and Deputy Prime Minister of Turkey addressed to the Secretary-General and to the President of the Security Council

With reference to the letters dated 17 July, 3 August, 7 August, 16 September, 16 October, 7 November, 17 November and 5 December 1996, signed by the Foreign Minister or the Deputy Prime Minister and Acting Foreign Minister of the Republic of Iraq and addressed to Your Excellency and/or to the Secretary-General (S/1996/578, S/1996/626, S/1996/641, S/1996/762, S/1996/860, S/1996/926, S/1996/951 and S/1996/1018), I should like to bring to your attention the following:

The principles and objectives of the Turkish foreign policy towards Iraq have been consistent and fully in line with the relevant resolutions of the United Nations Security Council from the outset of the Gulf crisis. Turkey has stood and continues to stand for Iraq's rights as a sovereign State and neighbour at international forums, while fully respecting all United Nations resolutions and meticulously fulfilling its responsibilities emanating from them, at immeasurable cost. The Government of Turkey vigorously supports the implementation of resolution 986 (1995) to alleviate the sufferings of the people of Iraq.

While standing for the preservation of the independence, sovereignty, political unity and territorial integrity of Iraq, Turkey has actively promoted all constructive efforts for:

- Restoration of peace and stability in the region;
- Enhancement of security in the region;
- Effective combat against terrorism;
- Ensuring the safety of the people of northern Iraq.

We remain committed to these principles.

The Government of Turkey fails to understand the motives that may have guided the Government of Iraq to make such unfounded allegations as stipulated in the aforementioned letters.

Under the present circumstances, Iraq's inability to exercise its authority over the northern parts of its territory continues to provide room for frequent violations of Turkish borders and territory in the form of terrorist infiltrations and activities which result in losses of human lives and damage to property.

As a result of the situation in northern Iraq since the Gulf crisis, for which Turkey bears no responsibility, not only has the Turkish economy suffered

immense negative repercussions, but every day, many innocent citizens of Turkey have lost their lives and suffered incalculable damage because of the violent terrorist attacks coming from Iraqi territory.

Exploitation of northern Iraq as a safe haven by terrorist formations reaching considerable numbers to prepare and launch operations against Turkey undermines Turkish security and constitutes a major threat to peace and stability in the region as a whole. The Government of Turkey is determined to take all appropriate measures with a view to safeguarding its legitimate security interests, defending its borders and protecting its people against terrorism. Turkey reserves the right to seek compensation for the aforementioned loss of life and property.

In view of the foregoing, I cannot but reiterate Turkey's profound disappointment at the attitude adopted by the Government of Iraq.

I should be grateful if you would have the text of the present letter circulated as a document of the Security Council.

(Signed) Prof. Dr. Tansu ÇILLER
Minister for Foreign Affairs
and Deputy Prime Minister of
the Republic of Turkey

UNITED
NATIONS

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S/1997/8
6 January 1997
ENGLISH
ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 2 JANUARY 1997 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE UNITED ARAB EMIRATES TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a copy of note verbale No. WK 1/6/583-0 dated 16 December 1996 from the Ministry of Foreign Affairs of the United Arab Emirates addressed to the Iranian Embassy in Abu Dhabi protesting against the Iranian Government's announcement of a soccer tournament to be held on Abu Musa island. I also transmit to you copies of notes verbales addressed to the Iranian Government on earlier occasions protesting against the measures it was taking on the Greater Tunb, the Lesser Tunb and Abu Musa, three islands belonging to the United Arab Emirates and occupied by Iran. The notes in question are those of 29 August 1992 (3/1/259-7), 12 March 1996 (WK 1/6/95-0), 22 April 1996 (WK 1/6/186-0), 18 July 1996 (1/1/923-1) and 22 September 1996 (WK 1/6/432-0).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Khalid Khalifa AL-MUALLA
Chargé d'affaires a.i.

97-00322 (E) 080197 090197 100197

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Annex

1. Note verbale dated 16 December 1996 from the Ministry of Foreign Affairs of the United Arab Emirates addressed to the Embassy of the Islamic Republic of Iran in Abu Dhabi

The Ministry of Foreign Affairs of the United Arab Emirates presents its compliments to the Embassy of the Islamic Republic of Iran in Abu Dhabi. The United Arab Emirates has the honour to convey to the Government of the Islamic Republic of Iran that the Government's announcement of a soccer tournament to be held on Abu Musa, an island belonging to the United Arab Emirates, as disseminated by the Iranian news agency on 14 December 1996 through Mr. Hasan Rada'i, is in flagrant violation of the memorandum of understanding concerning Abu Musa concluded in 1971, imposes an unlawful state of affairs and constitutes an attempt to perpetuate the occupation of the island and bring it under Iranian sovereignty by use of force.

Accordingly, the Government of the United Arab Emirates strongly protests against this unlawful action. It and all similar measures previously taken by the Iranian Government on Abu Musa are to be regarded as unwarranted acts of provocation that do not confer any legal rights on the Islamic Republic of Iran with respect to the island.

The Government of the United Arab Emirates reaffirms its sovereignty over Abu Musa. It does not recognize any other sovereignty over the island, and it reserves all of its rights with regard thereto.

The Ministry of Foreign Affairs takes this opportunity to convey to the Embassy the assurances of its highest consideration.

2. Note verbale dated 29 August 1992 from the Ministry of Foreign Affairs of the United Arab Emirates addressed to the Embassy of the Islamic Republic of Iran in Abu Dhabi

The Ministry of Foreign Affairs of the United Arab Emirates presents its compliments to the Embassy of the Islamic Republic of Iran and, with reference to the note verbale dated 25 August 1992 from the Ministry of Foreign Affairs of the Islamic Republic of Iran addressed to the Ambassador of the United Arab Emirates in Tehran (1832/312), has the honour to state that the United Arab Emirates is at all times desirous of furthering the existing bilateral relations of the two countries and to convey to the Embassy the following:

The positive statements made by Iranian officials on numerous occasions conveying a serious wish to further relations of friendship and cooperation between the two Muslim neighbours are welcomed by the authorities of the United Arab Emirates inasmuch as they accord with their genuine desire for the further expansion of such relations. It has nevertheless been noted in recent times that there is a manifest contradiction between the statements made by Iranian

officials and what happens in reality. Some examples of this are given hereunder.

1. During the holy month of Ramadan the Iranian authorities tried to implement measures that conflict with the laws of the United Arab Emirates as they affect persons working on Abu Musa, an island that belongs to the United Arab Emirates. In short, they were given the choice of accepting Iranian identity cards or leaving the island. As employees of the United Arab Emirates, however, these workers were unable under any circumstances to accept measures such as these. The Iranian authorities therefore deported them from the island and refused to allow them to return.

2. At the end of the 1991/92 school year Iranian officials also requested teachers to remove their belongings from the island with a view to withholding permission for them to return unless they complied with the Iranian measures concerning the acceptance of Iranian identity cards. The matter was discussed at the time with the Ambassador of the Islamic Republic of Iran to the United Arab Emirates and an understanding was reached that the teachers would leave their belongings on the island so that they could return there and resume their regular work. Recently, we were abruptly confronted with the refusal of the Iranian officials to allow the teachers to return to the island, in violation of the assurances given by the Ambassador of the Islamic Republic of Iran to officials in the Ministry of Foreign Affairs of the United Arab Emirates that the teachers would have the right to return to the island and practise their profession there.

3. The Embassy's reference to the privileged treatment accorded to nationals of the United Arab Emirates by the Iranian authorities on Abu Musa, an island that belongs to the United Arab Emirates, is a matter for surprise and indeed astonishment given that the people concerned are nationals of the United Arab Emirates, have been living on their land for hundreds of years and deal with their Government in the United Arab Emirates.

The United Arab Emirates therefore requests the Islamic Republic of Iran, for the sake of relations of good-neighbourliness, to restore the situation that previously prevailed on the island.

The Ministry of Foreign Affairs takes this opportunity to convey to the Embassy the assurances of its highest consideration.

3. Note verbale dated 12 March 1996 from the Ministry of Foreign Affairs of the United Arab Emirates addressed to the Embassy of the Islamic Republic of Iran in Abu Dhabi

The Ministry of Foreign Affairs of the United Arab Emirates presents its compliments to the Embassy of the Islamic Republic of Iran in Abu Dhabi and has the honour to alert the Government of the Islamic Republic of Iran to the fact that its construction of an airfield on Abu Musa (an island belonging to the United Arab Emirates), opened on 10 March 1996 by His Excellency Mr. Ali Akbar Torkan, Minister of Roads and Transport, is in flagrant violation

of the memorandum of understanding concerning Abu Musa that was concluded by the two countries in 1971. This action constitutes unilateral imposition of an unlawful state of affairs in an attempt to extend Iranian sovereignty, perpetuate the forcible occupation of the island and undermine security and stability in the region.

The Government of the United Arab Emirates strongly protests against these unlawful measures, and it regards the construction and inauguration of a civilian airfield on Abu Musa as an unwarranted act of provocation that does not confer any legal rights in the island on the Islamic Republic of Iran.

The Government of the United Arab Emirates reserves all of its rights with regard to the island of Abu Musa.

The Ministry of Foreign Affairs takes this opportunity to convey to the Embassy the assurances of its highest consideration.

4. Note verbale dated 22 April 1996 from the Ministry of Foreign Affairs of the United Arab Emirates addressed to the Ministry of Foreign Affairs of the Islamic Republic of Iran

The Ministry of Foreign Affairs of the United Arab Emirates presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and has the honour to inform it that the Iranian Government's announcement of 15 March 1996 concerning the construction of an electricity station on the Greater Tunb, an island belonging to the United Arab Emirates that has been occupied by Iran since 1971, is in breach of the norms of international law, is a violation of the sovereignty of the United Arab Emirates over the island and does not confer any rights on the Islamic Republic of Iran with respect to the island. This is in accordance with those established norms of international law that concern the impermissibility of the acquisition of territory by force and those stipulating that occupation does not confer on the occupying Power any rights to the territory forcibly subjugated by it.

The Government of the United Arab Emirates considers that the persistence of the Government of the Islamic Republic of Iran in taking measures to perpetuate its occupation of the Greater Tunb, the Lesser Tunb and Abu Musa, three islands belonging to the United Arab Emirates, for the purpose of imposing a fait accompli by use of force, can only further complicate the existing dispute.

The United Arab Emirates affirms its commitment to pursuing all peaceful means, including recourse to the International Court of Justice, with a view to resolving the ongoing dispute with the Islamic Republic of Iran concerning the three islands.

The Ministry of Foreign Affairs takes this opportunity to convey to its counterpart the assurances of its highest consideration.

5. Note verbale dated 18 July 1996 from the Embassy of the United Arab Emirates in Tehran addressed to the Ministry of Foreign Affairs of the Islamic Republic of Iran

The Embassy of the United Arab Emirates presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran in accordance with the note verbale of 7 July 1996 from the Ministry of Foreign Affairs of the United Arab Emirates (WK 1/6/339-0). It refers to note No. 566 of 16 May 1996 and note No. 932 of 1 July 1996 from the Embassy of the Islamic Republic of Iran in Abu Dhabi and affirms its respect for the relations of good-neighbourliness that exist between the two countries. The Embassy has the honour to inform the Ministry that the Government of the United Arab Emirates rejects the allegations made in note No. 566 of 16 May 1996 and once more affirms its sovereignty over the island of Abu Musa. The Government of the United Arab Emirates further rejects the allegations made in note No. 932 of 1 July 1996 and affirms that the Greater Tunb and Lesser Tunb islands are an integral part of the territory of the United Arab Emirates, that the Iranian authorities on the islands are to be regarded as occupying authorities and that any action that they take there is to be governed by the relevant rules of international law.

The Embassy takes this opportunity to convey to the Ministry the assurances of its highest consideration.

6. Note verbale dated 22 September 1996 from the Ministry of Foreign Affairs of the United Arab Emirates addressed to the Embassy of the Islamic Republic of Iran in Abu Dhabi

The Ministry of Foreign Affairs of the United Arab Emirates presents its compliments to the Embassy of the Islamic Republic of Iran and has the honour to inform the Government of the Islamic Republic of Iran that the opening of a cold-storage plant and fish-processing factory on Abu Musa, an island belonging to the United Arab Emirates, in the presence of the Iranian Minister of Reconstruction, as reported by the Iranian news agency on 31 August 1996, constitutes a flagrant violation of the memorandum of understanding concerning Abu Musa concluded in 1971 and is to be regarded as the imposition of an unlawful state of affairs and an attempt to perpetuate the occupation of the island and to bring it under Iranian sovereignty by use of force.

The Government of the United Arab Emirates informs the Government of the Islamic Republic of Iran that it strongly protests against this unlawful action. It and all the similar measures the Iranian Government has taken on Abu Musa are to be regarded as unwarranted acts of provocation that do not confer any legal rights on the Islamic Republic of Iran with respect to the island.

The Government of the United Arab Emirates reaffirms its sovereignty over Abu Musa. It will not recognize any other sovereignty over the island, and it reserves all of its rights with regard thereto.

The Ministry of Foreign Affairs takes this opportunity to convey to the Embassy the assurances of its highest consideration.

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NATIONS

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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL
GENERAL AND COMPLETE DISARMAMENT
OPERATIONAL ACTIVITIES FOR DEVELOPMENT
REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS

SECURITY COUNCIL
Fifty-second year

Letter dated 31 December 1996 from the Permanent Representative of Burkina Faso to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the conclusions of the Nineteenth Conference of the Heads of State and Government of France and Africa, held in Ouagadougou from 4 to 6 December 1996.

I should be grateful if you would have the text of this letter and its annexes circulated as a document of the General Assembly, under agenda items 12, 71, 98 and 112, and of the Security Council.

(Signed) Gaitan R. OUEDRAOGO

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Annex I

Final Declaration issued at the close of the Nineteenth Conference of the Heads of State, Government and Delegation of France and Africa, held in Ouagadougou from 4 to 6 December 1996

The heads of State, Government and Delegation of France and Africa, meeting in Ouagadougou from 4 to 6 December 1996, exchanged views on the main developments taking place in Africa and the world.

They endeavoured to strengthen the links between good governance and development.

To this end, they solemnly reaffirmed that:

- Economic development can be viable only if it is part of a long-term vision within the framework of a society-based project reflecting collective choices. This entails the existence of mechanisms and capacities for ensuring coherence between essential short-term economic reforms and medium- and long-term development policies;

- The ultimate goal of development is to build a social order that is based on a vision of justice and peace and accepted by the majority, respects distinctive characteristics and is capable of enabling everyone to secure his well-being and contribute to the collective welfare;

- In order to be sustainable, development must be rooted in a constitutional state and be achieved through efficient administration ensuring the sound management of public affairs and making it possible to achieve the collective welfare;

- The State, while not the sole actor in this development process, bears the primary responsibility for it.

Welcoming the progress already achieved along these lines, the heads of State, Government and delegation undertake to continue to:

- Strive towards the adaptation of legal norms ensuring respect for human rights;

- Ensure respect for these norms by elected representatives, government officials, and the citizens themselves;

- Ensure the equality of all before the law and guarantee the possibility of means of recourse against decisions by government officials;

- Take the necessary legal and budgetary measures to ensure the independence of the judicial system;

- Ensure the enforcement of court rulings, including those that involve the responsibility of the State;

- Ensure the effective subordination of armed forces and security forces to the constitutional order;

- Guarantee freedom of the press;

- Ensure greater representation of women in decision-making bodies.

The heads of State, Government and delegation also underscored the importance of the following principles:

- The continuation of the efforts made to adapt human resources training and the number of civil service personnel to the needs and resources of the State;

- Implementation of a budgetary policy reflecting the priority given to establishing democratic institutions and maintaining social development programmes, and aimed at limiting military expenditures;

- Respect for the principles of transparency and accountability at all levels of the State;

- Creation of an environment conducive to the development of economic activity and investment. In this respect, they welcomed the entry into force of the Treaty on the Harmonization of Business Law in Africa, an exemplary instrument for regional integration;

- Development of a strong policy favouring the private sector and private enterprise in both the formal and informal sectors.

The heads of State, Government and delegations reaffirmed their determination to work together to achieve stability and security in Africa by supporting ongoing processes aimed at providing Africa with the mechanisms necessary for crisis prevention and peacekeeping.

They reaffirmed their support for mechanisms to prevent, manage and resolve conflicts, particularly those of the Organization of African Unity (OAU) as well as the use of subregional bodies designed to ensure better crisis prevention and improved coordination of national efforts under the auspices of the United Nations.

The heads of State, Government and delegation noted with interest the statement by His Excellency Mr. Henri Konan Bédié, President of the Republic of Côte d'Ivoire, concerning the Félix Houphouet Boigny Prize for Promoting Peace.

In view of the Prize's prestige and the tribute paid to the work of the late President Félix Houphouet Boigny, the Conference reaffirmed its full support for this distinguished award.

They also appealed to all of Africa's partners to continue to heed the needs of Africa in the areas that concerned it directly and to provide it with adequate assistance in order to support its development efforts.

The heads of State, Government and delegation also affirmed their commitment in support of efforts aimed at mine clearance and the elimination of anti-personnel mines.

They condemned the use of children as soldiers and the criminals that engage in that practice.

In order, in particular, to support efforts already made and those to be agreed upon in the future with regard to the various aforementioned objectives, the heads of State, Government and delegation reaffirmed the need for developed countries to show a greater solidarity with developing countries.

They expressed satisfaction at the Special Initiative on Africa initiated by the Secretary-General of the United Nations and the proposal to undertake a new global partnership for development made by the group of the seven major industrialized countries at their last summit meeting in Lyons.

The heads of State, Government and delegation stressed that, by deciding not to call into question the principle of official development aid, the summit meeting of the group of the seven major industrialized countries in Lyons renewed the vision of the relationship among development partners based on common interest.

They noted that the summit meeting affirmed the determination of the developed countries and multilateral institutions to improve further the modalities for settling the debts of the poorest countries and they emphasized the need to give concrete expression to that determination as soon as possible. In this respect, the debt owed to members of the Paris Club should be dealt with in a more favourable manner.

Furthermore, the heads of State, Government and delegation expressed satisfaction with the commitment undertaken at Lyons by the most developed countries to extend for as long as necessary the reinforced Structural Adjustment Facility of the Bretton Woods institutions.

They noted the intention of the group of the seven major industrialized countries to make a particular effort on behalf of sub-Saharan Africa and focus assistance on the poorest countries that have limited access to capital markets. Nevertheless, they expressed the wish that that should not penalize the countries whose efforts had enabled them to improve their economic and financial situation.

The heads of State, Government and delegation agreed on a follow-up meeting of Ministers for Foreign Affairs in Paris in December 1997. That meeting will determine the date for the Twentieth Conference, to be held in France in 1998.

The heads of State, Government and delegation expressed satisfaction at the quality of their dialogue and the atmosphere of friendship and trust that prevailed during the Conference.

Lastly, the heads of State, Government and delegation expressed their sincerest appreciation to His Excellency Mr. Blaise Compaoré, President of Burkina Faso, and to the Government and people of Burkina Faso for the warmth and quality of the reception given to them and their delegations and for all the consideration showed to them during their stay in Ouagadougou.

Annex II

Declaration on the situation in the Great Lakes region issued at the close of the Nineteenth Conference of the heads of State, Government and delegation of France and Africa, held in Ouagadougou from 4 to 6 December 1996

The heads of State, Government and delegation of France and Africa, meeting in Ouagadougou from 4 to 6 December 1996, express their grave concern about the situation in the Great Lakes region, particularly:

I. IN EASTERN ZAIRE

Deeply concerned about the humanitarian consequences of this situation and the difficulties encountered by international organizations in providing assistance to those who require it, emphasize the urgent need, in such a situation, to ensure that the aid is made available where necessary;

Recall the statement made by the countries of the region in Nairobi on 5 November 1996, the communiqué issued at the Fourth Extraordinary Session of the Central Organ of the Organization of African Unity Mechanism for Conflict Prevention, Management and Resolution, held at the level of Ministers in Addis Ababa on 11 November 1996, and Security Council resolutions 1078 (1996) and 1080 (1996);

Welcome the efforts already made by OAU, the Special Envoy of the European Union, the Special Envoy of the Secretary-General of the United Nations, the United Nations Security Council and numerous States, particularly African ones;

Reaffirm their respect for the inviolability of borders and, in particular, the need for all States to respect the sovereignty and territorial integrity of the States of the region;

Urge the United Nations and OAU to take all possible steps to deploy the international force in accordance with Security Council resolutions 1078 (1996) and 1080 (1996);

Request all States to halt all violence and initiate a process of dialogue and negotiation;

Underscore the urgent need to address, as a whole, the problems of the Great Lakes region, which are interconnected;

Reaffirm the need to hold an international conference on peace, security and stability in the Great Lakes region under the auspices of the United Nations and OAU in order to find a way to bring about a comprehensive and lasting solution to the problems in the region. The conference should lead to the conclusion of a "pact for stability in the Great Lakes region of Africa".

II. IN BURUNDI

The heads of State, Government and delegation noted the declaration of the summit meeting of heads of State and Government of the countries members of the United Nations Standing Advisory Committee on Security Questions in Central Africa, held on 2 and 3 December 1996 in Brazzaville, the Congo.

The heads of State, Government and delegation encourage the countries of the Great Lakes region, in consultation with other countries, to continue their efforts to assist Burundi in making progress towards a national dialogue.

In this respect, they call upon the parties to the conflict in Burundi to initiate a dialogue immediately and urge the countries of the region to take appropriate measures concerning the embargo in order to alleviate the suffering of the population.

Reservation

- Rwanda

Appendix

Aware of the fact that Africa is one of the continents most seriously affected by the spread of anti-personnel land-mines and that more than 20 African countries are direct victims of it, the heads of State, Government and delegation stated their profound concern at the fact that those mines kill or mutilate hundreds of persons every week, particularly children, impede economic development and reconstruction, and hinder the repatriation of refugees and the return of displaced persons to their homes within their countries.

They expressed satisfaction at the assistance programmes which facilitate mine-clearance operations and make it possible to provide humanitarian support to the victims of anti-personnel land-mines. They pledge their cooperation in carrying out those operations.

They welcomed the adoption on 3 May 1996 of the strengthened Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices, annexed to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, and they expressed their determination to take the necessary steps to accede to it without delay.

The heads of State, Government and delegation committed themselves to the goal of achieving the total and general elimination of anti-personnel mines.

They expressed the conviction that a legally binding and verifiable international agreement on the complete and comprehensive prohibition of anti-personnel mines would substantially reduce the suffering of civilians and combatants and promote security for all.

They will actively contribute to the negotiation of such an international agreement. In that regard, they welcomed the moratoriums, prohibitions and restrictions already adopted by a number of countries on the production, use and export of anti-personnel land-mines, as well as the unilateral reduction of arsenals.

UNITED
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7 January 1997
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GENERAL ASSEMBLY
Fifty-first session
Agenda items 24 and 145
LAW OF THE SEA
UNITED NATIONS DECADE OF
INTERNATIONAL LAW

SECURITY COUNCIL
Fifty-second year

Identical letters dated 2 January 1997 from the Chargé d'affaires a.i. of the Permanent Mission of the United Arab Emirates to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a copy of note verbale No. WK 1/10/20-548 dated 30 November 1996 from the Ministry of Foreign Affairs of the United Arab Emirates addressed to the Embassy of the Islamic Republic of Iran in Abu Dhabi. The note draws the Embassy's attention to the repeated acts of maritime piracy carried out by Iranian forces against fishing boats belonging to citizens of the United Arab Emirates.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council and of the General Assembly under agenda items 24 and 145.

Accept, Sir, the assurances of my highest consideration.

(Signed) Khalid Khalifa AL-MUALLA
Chargé d'affaires a.i.

97-00328 (E) 080197 080197

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Annex

The Ministry of Foreign Affairs of the United Arab Emirates presents its compliments to the Embassy of the Islamic Republic of Iran in Abu Dhabi, and has the honour to draw the latter's attention to the fact that, throughout 1996, acts of maritime piracy were repeatedly carried out by Iranian forces against fishing boats belonging to citizens of the United Arab Emirates.

At 1600 hours on 7 May 1996, three nautical miles from Haql Mubarak, Dubai-registered launch No. 1324, captained by Habashi Mubarak Musa, was searched and looted by four members of the Iranian forces armed with Kalashnikovs and using an 18 ft. escort vessel with 200 horsepower Yamaha engines.

At 0900 hours on 15 June 1996, in the area of Hagl Fath, Dubai, an Iranian military patrol seized the Sharjah-registered vessel Imtiyaz, No. 13, captained by Muhammad Jasim, and towed the vessel and its crew to the Linga region. To date, no information has been forthcoming about the fate of this vessel or its crew.

At 0810 hours on 8 August 1996, 40 nautical miles from the Dubai shore, an Iranian military patrol seized the Sharjah-registered vessel Al-Basag, No. 1000, captained by Yusuf Abid Safir al-Makhburi, and towed the vessel and its crew to the Linga region.

At 1900 hours on 26 September 1996, 15 nautical miles and 310 degrees from Khawr Umm al-Qaiwain, Umm al-Qaiwain-registered launches Nos. 213 and 2222 were searched and looted by an Iranian military patrol composed of four men armed with Kalashnikovs and using an escort vessel with 200 horsepower engines.

At 1600 hours on 13 October 1996, 22 nautical miles and 350 degrees from Khawr Umm al-Qaiwain, the Umm al-Qaiwain-registered launch Sari, No. 335, was searched and looted by an Iranian military patrol composed of three men armed with Kalashnikovs and using an escort vessel with 48 horsepower Yamaha engines.

At 1645 hours on 4 November 1996, in the area of Haql Salih, Ras al-Khaimah, Iranian military patrols seized five vessels and their crews, a total of 23 persons, and towed them to the Linga region.

Since the Government of the United Arab Emirates considers these acts of maritime piracy as a violation of international norms, regulations and agreements, and inconsistent with the principles of good-neighbourliness and the preservation of the historical ties and joint interests of the two countries, it requests the Government of the Islamic Republic of Iran to put a halt to such acts, in the interests of the security and stability of the region.

The Ministry of Foreign Affairs of the United Arab Emirates takes this opportunity to convey to the Embassy of the Islamic Republic of Iran in Abu Dhabi the assurances of its highest consideration.

UNITED
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Security Council

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GENERAL

S/1997/11
6 January 1997

ORIGINAL: ENGLISH

LETTER DATED 3 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you details of acts of aggression perpetrated against the Sudanese territory and people by Eritrea (see annex).

I should be grateful if you would bring this letter and its annex to the attention of the members of the Security Council, and have it circulated as a document of the Security Council.

(Signed) Elfatih ERWA
Permanent Representative

97-00303 (E) 060197 060197 070197

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Annex

[Original: Arabic]

Information concerning acts of aggression committed by Eritrea in the Abu Qamal, Madisissah, Tuqan, Hamashkurayb, Aruma, Al-Qarda and Awwad regions of east Sudan between 15 October and 31 December 1996

On 15 October 1996, terrorist elements based in Eritrea infiltrated into Sudanese territory and detonated two anti-vehicle mines composed of plastic explosives along a low wall bordering the Qum road (15 kilometres north of Aruma), in an attempt to destroy one of the small bridges on the road. The bridge was damaged, and repair work is in progress.

On 30 October 1996, at 0830 hours, Eritrean soldiers accompanied by terrorist elements supported by Eritrea attacked Sudanese soldiers in the Tuqan region, wounding three of them. The Sudanese soldiers were obliged to repel the attack, and as a result one of the assailants was killed and seven others wounded.

On 15 November 1996, at 1800 hours, terrorist elements supported by Eritrea attacked Sudanese forces in the Madisissah region. They fought in the Khawr Abu Jamus area between Qarqaf and Madisissah. One of the assailants was killed.

On 19 November 1996, between 1500 and 1930 hours, Eritrean forces bombarded the Akit region (10 kilometres east of Abu Qamal) with rocket launchers and 82- and 120-millimetre mortar shells.

On 24 November 1996, terrorist elements accompanied by Eritrean soldiers infiltrated into Sudanese territory, penetrating as far as the village of Awwad, where they attacked defenceless civilians, destroying their homes, property and vehicles. Sudanese forces pursued the aggressors, and established that they had taken refuge in Eritrea.

On 1 December 1996, Eritrean soldiers and terrorist elements supported by Eritrea massed at the Sudan's eastern border. Twenty-three military vehicles transported troops as far as the Hamayid region (east of Tuqan) with a view to launching an attack against the Sudanese region of Tuqan. Troops had also been massed in the Kawa, Dayrah and Shaqlubah regions, near Bastaf, with the aim of launching military operations in the Sudanese region of Tamkit. Further, Eritrean soldiers regrouped near Hamashkurayb with a view to cutting off the main road. Lastly, Eritrean forces massed near Al-Ayq'al forest, not far from Aruma, in order to undertake other operations in the region.

On 14 December 1996, an anti-vehicle mine planted by Eritrean forces exploded under a civilian lorry in the Tuqan region, destroying the vehicle and wounding its occupants.

On 15 December 1996, an element of the self-styled "Coalition Forces" terrorist group, based in Eritrea, surrendered to Sudanese forces in the Madississah region.

On 15 December 1996, Sudanese forces removed an anti-vehicle mine that Eritrean forces had planted 1,900 metres from Khawr Umly, near the town of Hamashkurayb.

On 23 December 1996, Sudanese forces arrested a member of the terrorist group supported by Eritrea. He was wearing a second lieutenant's uniform and was armed with a Kalashnikov and grenades. He was apprehended as he crossed the border, heading towards the region situated between Omly and Khawr Dalib.

On 24 December 1996, there were clashes in the region of Maman (east of Tuqan) between Eritrean soldiers, who were accompanied by terrorist elements, and Sudanese forces, which pursued the Eritreans as far as the border.

On 27 December 1996, a Sudanese patrol came under shellfire in the Al-Qardah region. The projectiles came from the Tabab Galal region in Eritrea.

On 28 December 1996, at 1430 hours, two Eritrean battalions accompanied by terrorist elements supported by Eritrea attacked the Rabsam region, near the town of Hamashkurayb. Clashes with the two Sudanese companies stationed in the region ensued. The attack resulted in 5 dead, 15 wounded, including 1 officer, and 7 missing on the Sudanese side, not to mention vast material losses. The Eritrean forces seized a number of vehicles and pieces of equipment.

On 29 December 1996, two Sudanese army helicopters were carrying out a routine patrol in the Sudanese region of Rabsam near the town of Hamashkurayb when SAM-7 anti-aircraft missiles were fired in their direction from the Eritrean region of Awwad. One helicopter was shot down. Its crew perished.[a]

Notes

[a] See S/1997/2.

UNITED NATIONS **S**

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S/1997/12
6 January 1997

ORIGINAL: ENGLISH

LETTER DATED 6 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In reference to a letter addressed by the representative of the Sudan to the President of the Security Council on 31 December 1996, contained in document S/1997/2, I have the honour to make the following clarification.

In this letter, the representative of the Sudan to the United Nations once again levelled an unfounded accusation saying "On 29 December 1996, a Sudanese army helicopter was assuming routine border patrol near the town of Hamashkoreb on the Sudanese Eritrean border. It was attacked and shot down by an anti-aircraft missile (SAM-7) launched by Eritrean troops from inside the Eritrean territories".

This accusation by the National Islamic Front's (NIF) representative against my Government is baseless and pure fabrication. It is a continuation of the usual disinformation and deliberate fabrications in which the NIF regime in Khartoum has long been engaging itself to distort political realities in the Sudan and hoodwink public opinion by pointing an accusing finger at others.

Hamashkoreb, where the alleged shooting of a helicopter is said to have taken place, is a spot inside Sudanese territory that is over 60 kilometres from the Eritrean border and the anti-aircraft missile (SAM-7) said to have been launched from Eritrea can by no means technically and practically reach it and down the said helicopter.

Once again, my Government denies any involvement in the Sudanese internal affairs and categorically rejects the false accusations by the NIF regime to the downing of any Sudanese helicopter.

I should be grateful if you would kindly circulate the present letter as a document of the Security Council.

(Signed) Amdemicael KAHSAI
Permanent Representative

97-00309 (E) 060197 070197

UNITED NATIONS **S**

Security Council

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S/1997/13
6 January 1997
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LETTER DATED 6 JANUARY 1997 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF ZAIRE TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you the position of the Republic of Zaire on the non-implementation of Security Council resolution 1080 (1996) of 15 November 1996, establishing the multinational force to be deployed in eastern Zaire.

I should be very grateful if you would authorize the issuance of this letter and its annex as a document of the Security Council.

(Signed) Lukabu Khabouji N'ZAJI
Minister Plenipotentiary
Deputy Permanent Representative

97-00315 (E) 060197 060197 070197

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Annex

Position of the Government of the Republic of Zaire on the non-implementation of Security Council resolution 1080 (1996) of 15 November 1996

1. The Security Council adopted resolution 1080 (1996) on 15 November 1996, calling for, inter alia, the deployment of a multinational force with a humanitarian mandate in order to create safe corridors to return the Rwandan refugees to their homes and provide them as well as the displaced persons and the local population affected by the war with the necessary humanitarian assistance.

2. Prior to the adoption of the resolution, the Government of the Republic of Zaire had insisted that the multinational force should be given not only a humanitarian mandate, but also a legal and political mandate in order to cover all aspects of the crisis, particularly:

(a) The aggression against Zaire and the violation of its territorial integrity;

(b) The violation of Zaire's internationally recognized borders by Rwanda, Burundi and Uganda.

3. The Government of the Republic of Zaire believed moreover that:

(a) The multinational force should not, under the cover of humanitarian considerations, deal with the aggressors or the administrations illegally established by them in North Kivu and South Kivu at the risk of condoning this violation of our country's territorial integrity;

(b) The headquarters of the multinational force should be based in Zaire and not in Uganda;

(c) The humanitarian assistance for the refugees should be sent through their countries of origin.

4. An administrative committee of the multinational force was set up without any clear legal basis in order to manage the political aspects in the field in eastern Zaire. It was made up of, inter alia, the countries that had contributed to the aggression against Zaire.

Nevertheless, the Security Council did not deem it necessary to take into account the concerns of the Government of the Republic of Zaire regarding the political mandate of the multinational force.

5. Although General Maurice Barril was appointed to command the multinational force and some countries agreed to send units in order to establish the force, the Government of the Republic of Zaire notes as of today that:

(a) The force has not been deployed, perhaps as a result of its refusal to have the multinational force's headquarters based in Kampala;

(b) Commander Maurice Barril established contact with the aggressors and their illegal administrations set up in Goma and Bukavu and this initiative was followed by non-governmental organizations and other humanitarian agencies;

(c) No safe corridor has been established in order to return the refugees to their homes;

(d) The policy for providing humanitarian assistance to the population affected by the war, which was organized in an irregular and confused manner, has not achieved its objectives;

(e) In order to discourage the deployment of the multinational force, Rwanda, disregarding all the relevant international conventions, attacked the Kibumba refugee camp in North Kivu in order to bring the refugees back to Rwanda and then declare that it was inappropriate to deploy the force since the refugees had returned to their homes under the spotlights of the international media mobilized for that purpose;

(f) On the basis of all these unfounded considerations as well as the reports by General Maurice Barril and the administrative committee of the multinational force, supported by some countries, including Canada, the deployment of the multinational force was halted even before the resolution began to be implemented.

6. The real situation in the field demonstrates that the problems that had led to the adoption of Security Council resolutions 1078 (1996) and 1080 (1996), namely, the problems of the displaced persons, the population affected by the war and the refugees, have continued in spite of the non-deployment of the multinational force and have not been solved.

7. Indeed, before the adoption of the aforementioned resolutions, the Office of the High Commissioner for Refugees estimated that the number of refugees in Zaire was 1,200,000, which, moreover, was disputed by the Zairian authorities. If one considers that 500,000 to 600,000 refugees returned to Rwanda, according to the various statements by the Rwandan Government, one must, therefore, conclude that between 600,000 and 700,000 refugees remain in Zaire, which is far lower than the estimates made by the Zairian authorities, who consider that the number of refugees exceeds 800,000.

8. On the basis of the foregoing, the Government of the Republic of Zaire considers that:

(a) The Security Council should reassess the situation in the field and take the necessary steps to deal with it in view of the fact that the current state of confusion is the result of the manner in which the United Nations set about implementing resolution 1080 (1996) and since the problems leading to its adoption remain unsolved;

(b) It is disconcerting to note that the decision to halt the deployment of the multinational force was taken through an exchange of letters within the framework of an informal meeting of the Security Council and that the formal meeting for the purpose of adopting the decision was never held;

(c) The non-implementation of resolution 1080 (1996) is conducive to the de facto establishment of new refugee camps, which the Zairian Government does not accept.

9. In any event, at the beginning of 1997, the priorities of the Zairian Government are to:

(a) Complete the democratization process, respecting the dates for holding elections;

(b) Carry out the war effort in order to eliminate the main obstacle to the organization of elections and recover all of the national territory in North Kivu and South Kivu.

10. The Government of the Republic of Zaire states moreover that:

(a) It will not initiate any direct or indirect negotiations with the aggressors, let alone their Zairian accomplices, as long as part of the national territory is occupied;

(b) Territorial integrity, the question of nationality and the inviolability of Zaire's internationally recognized borders are not negotiable;

(c) It could consider discussing security, the circulation of persons and goods, good neighbourliness and stability in the Great Lakes region only after the withdrawal of all foreign occupation forces.

(Signed) Gerard KAMANDA wa KAMANDA
Vice-Prime Minister
Minister for Foreign Affairs

Kinshasa, 4 January 1997

UNITED NATIONS **S**

Security Council

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S/1997/14
6 January 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 5 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that violations of Iraq's airspace by United States, British and French aircraft continued over the period 16 to 31 December 1996 and that the aircraft in question carried out reconnaissance and engaged in acts of provocation, as set forth in the annex hereto.

You are requested to intervene with the countries in question with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and the provisions of international law, pose a threat to the sovereignty and territorial integrity of the Republic of Iraq.

These actions continue to alarm the civilian population and to cause serious damage to private and public property. The Republic of Iraq affirms its right to seek legal compensation for the damage being inflicted on the Iraqi people and the Iraqi State by these actions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Details of violations of Iraq's airspace and damage caused, 16-31 December 1996

1. In the northern region 85 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Mosul, Irbil, Dohuk, Tall Afar, Amadiyah, Zakho and Aqrah.

2. In the southern region 708 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Nasiriyah, Samawah, Amarah, Qurnah, Artawi, Chabaish, Salman, Shatrah, Lasaf, Najaf, Qal'at Salih, Diwaniyah, Busayyah, Rifa'i, Qurnah, Hamzah, Nukhayb, Najaf South, Taqtaqanah and Hayy.

3. On 16 occasions United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated the Republic of Iraq's airspace in the southern region before leaving in the direction of Kuwait.